

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

SUBHANA RAHIM,

Plaintiff,

-against-

BUNZL USA, INC., PENSKE
TRUCK LEASING, INC. and TORMAINO J.
STEVENS,

Defendants.

Kings County Clerk's Office
Date: 09/08/2014
Case: 14-00000000000000000000

14-00000000000000000000
Text
12/05/2014 RAHIM, SUBHANA vs. PC
FILED USA INC. ETAL

Plaintiff designates
Kings County as the
place of trial

The basis of the venue
is plaintiff's
residence

SUMMONS

Plaintiff resides at
395 Madison Street
Brooklyn, NY

To the above named Defendant

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's attorneys Gary P. Kauget, P.C. within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if the summons is not personally delivered to you within the State of New York); and in the case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: Brooklyn, New York

TO: Bunzl USA., Inc.: One City Place Dr., Suite 200, St. Louis, MO 63141; Penske Truck Leasing: 4000 Cline Ave., East Chicago, IN 46312; Tormaino Stevens: 305 Kerrigan Blvd., Apt. 1L, Newark, NJ 07106

GARY P. KAUGET, P.C.
Attorneys for Plaintiff
9201 Fourth Avenue
Suite 707
Brooklyn, NY 11209
(718) 833-2496

2014 SEP -8 PM 4:22
RECEIVED
KINGS COUNTY CLERK

how much longer
extension - 30 days -

BUNZL USA, INC., was a foreign corporation doing business in the State of New York.

FOURTH: That at all times hereinafter mentioned, the defendant, BUNZL USA, INC., owned a 2013 FTL motor vehicle bearing Indiana State registration number 2084630 for the year 2013.

FIFTH: Upon information and belief, that at all times and places hereinafter mentioned, the defendant, PENSKE TRUCK LEASING, INC., was a corporation duly organized and existing under and by virtue of the laws of the State of New York.

SIXTH: Upon information and belief, that at all times and places hereinafter mentioned, the defendant, PENSKE TRUCK LEASING LEASING, INC., was a domestic corporation, duly organized and existing under and by virtue of the laws of the State of New York.

SEVENTH: Upon information and belief, that at all times and places hereinafter mentioned, the defendant, PENSKE TRUCK LEASING, INC., was a foreign corporation doing business in the State of New York.

EIGHTH: That at all times hereinafter mentioned, the defendant, PENSKE TRUCK LEASING, INC., owned a 2013 FTL motor vehicle bearing Indiana State registration number 2084630 for the year 2013.

NINTH: That at all times hereinafter mentioned, the defendant, TORMAINO J. STEVENS, operated the aforesaid motor vehicle.

TENTH: That at all times hereinafter mentioned, the defendant, TORMAINO J. STEVENS, operated the aforesaid motor vehicle with the permission, consent and knowledge of the owner defendant, BUNZL USA, INC.

ELEVENTH: That at all times hereinafter mentioned, the defendant, TORMAINO J. STEVENS, operated the aforesaid motor vehicle with the permission, consent and knowledge of the owner defendant, PENSKE TRUCK LEASING, INC.

TWELFTH: That at all times hereinafter mentioned, the defendant, BUNZL USA, INC., leased the aforesaid motor vehicle from the defendant, PENSKE TRUK LEASING, INC.

THIRTEENTH: That at all times hereinafter mentioned, the plaintiff, SUBHANA RAHIM owned and operated 2003 Mercedes Benz motor vehicle bearing Pennsylvania State registration number JKD4550 for the year 2006.

FOURTEENTH: That at all times hereinafter mentioned, Long Island Expressway at or near its intersection with Utopia Parkway, were and still are public thoroughfares in the County of Queens, City and State of New York.

FIFTEENTH: That on or about November 19,

2013 at the aforesaid location, there was contact between the motor vehicles owned and operated by the respective defendants and the motor vehicle owned and operated by the plaintiff.

SIXTEENTH: That the defendants were careless, reckless, and negligent in the ownership, operation, maintenance and control of their motor vehicles under the circumstances then and there existing.

SEVENTEENTH: That the foregoing occurrence was caused solely and wholly as a result of the negligence of the defendants, without any negligence on the part of the plaintiff contributing thereto.

EIGHTEENTH: That as a result of the foregoing, plaintiff SUBHANA RAHIM suffered a serious injury as defined in Section 5102(d) of the Insurance Law of the State of New York.

NINETEENTH: That as a result of the foregoing, plaintiff SUBHANA RAHIM, sustained a serious, severe and permanent personal injuries.

TWENTIETH; That plaintiff SUBHANA RAHIM sustained serious injuries and economic loss greater than basic economic loss as defined by Section 5104 of the Insurance Law of the State of New York.

TWENTY-FIRST: That plaintiff SUBHANA RAHIM,

is not seeking to recover any damages for which plaintiff has been reimbursed by no-fault insurance and/or for which no-fault insurance is obligated to reimburse plaintiff. Plaintiff is seeking to recover only those damages not recoverable through no-fault insurance under the facts and circumstances of this action.

TWENTY-SECOND: That this action falls within one or more of the exceptions set forth in CPLR section 1602.

TWENTY-THIRD: That as a result of the foregoing plaintiff has been damaged in an amount that exceeds all jurisdictional limits of the lower Courts.

WHEREFORE, plaintiff demands judgment against the defendants in an amount to be determined at the time of trial, together with the costs and disbursements of this action.

GARY P. KAUGET, P.C.
Attorneys for Plaintiff
9201 Fourth Avenue, Suite 707
Brooklyn, NY 11209
(718) 833-2496

STATE OF NEW YORK)
) SS.:
COUNTY OF KINGS)

SUBHANA RAHIM , being duly sworn, deposes and says:

Deponent is the plaintiff in the within action; deponent has read the foregoing Summons and Complaint knows the contents thereof, the same is true to deponent's own knowledge, except as to the matters therein stated to be alleged on information and belief, and as to those matter deponent believe it to be true.

SUBHANA RAHIM

Sworn to before me this

day of , 2014

NOTARY PUBLIC

VERIFICATION BY AFFIDAVIT

STATE OF NEW YORK

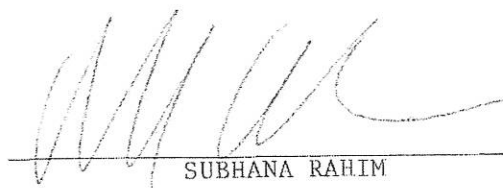
SS:

COUNTY OF KINGS

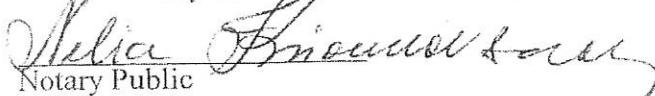
SUBHANA RAHIM, being duly sworn, says:

I am a Plaintiff in the action herein: I have read the annexed **COMPLAINT** and know the contents thereof, and the same are true to my knowledge, except those matters therein which are stated to be alleged upon information and belief, and as to those matters I believe them to be true. My belief as to those matters therein not stated upon knowledge, is based upon facts, records, and other pertinent information contained in my personal files.

DATED: Brooklyn, New York
August 13, 2014


SUBHANA RAHIM

Sworn to before me this
13 day of August, 20 14


Notary Public

Nella Krioukovskala
Notary Public State of NY
No 01KR6047381
Qualified in Kings County
Commission Expires August 28, 2014

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SUBHANA RAHIM

Plaintiffs,

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**BUNZL USA, INC., PENSKE TRUCK LEASING,
INC., and TORMAINO J. STEVENS,**

Defendants.

SUMMONS & VERIFIED COMPLAINT

GARY P. KAUGET, P.C.

Attorney for Plaintiffs

Office and P.O. Address

9201 Fourth Avenue

Seventh Floor

Brooklyn, New York 11209

718-833-2496

Attorney for Defendant